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Possibly this dense mass may serve to check the spreading of sperm in a forward direction and make more certain its passage backward towards the region where it can reach the receptacles of the other worm.

The balance of evidence seem to be that the spermatophores of the brandling, and by inference those of other earthworms too, are of no use after the process of conjugation is finished, that they do not serve to convey sperm and hence are not spermatophores at all in any proper sense of the word.—E. A. ANDREWS.

PSYCHOLOGY.¹

Criminology.—In a series of articles on *Les Règles de la Méthode Sociologique*, recently contributed to the *Revue Philosophique* (May, June, July and Aug., 1894), Prof. Emile Durkheim, of Bordeaux, has taken occasion to advance a somewhat novel theory of crime and its relation to the normal social organism. This he restates and reaffirms in the May number, 1895, in reply to a rather intemperate attack made by M. G. Tarde in February. The whole controversy is of interest as showing how easily familiar facts assume a new and even paradoxical guise when put in ambiguous language.

Prof. Durkheim finds his point of departure in the impossibility of getting from the subjective or the teleological points of view any satisfactory definition of the concepts *normal* and *pathological*. The morbid is not necessarily painful *e. g.*, hysterical anæsthesia and, *vice-versa*, the painful is sometimes normal, *e. g.*, menstruation, parturition. The normal cannot be defined as that which is adapted to its environment, for it is not proved that every state of the organism must be adapted to some external state, and, in any case, we lack a criterion to judge between greater and less degrees of adaptation. Nor is the normal that which is fitted to survive, since, *e. g.*, infancy and old age are normal, and, on the other hand, many morbid states do not appreciably shorten life. There remains, then, only one suitable meaning which we can give these words. The normal is the general, the usual, the average. The abnormal, morbid or pathological is the exceptional and unusual. It follows then that the conception of a healthy organism is practically identical with that of the organism as such. Health will also be

¹ This department is edited by Dr. Wm. Romaine Newbold, University of Pennsylvania.

desirable, for the normal or average traits which constitute it are grouped together chiefly by reason of their common utility to the species.

The importance of the above analysis, Prof. Durkheim continues, will become evident if we apply it to a single problem. All criminologists are agreed that crime is a pathological phenomenon. Yet, in the light of the foregoing, the error of this view is at once apparent. Crime is found in all societies of all types, and is indissolubly connected with the conditions of social life; it must therefore be regarded as a normal phenomenon. By this admission we do not merely mean that it is inevitable, although regrettable; we mean "that it is a factor of the public health, an integral part of every healthy society." Good reasons can be given for this conclusion. In the first place, crime can never be abolished. It consists in the offence of certain collective sentiments. If those sentiments could be made strong enough to suppress the present forms of crime, they would, by reason of their greater sensitiveness, take fresh offence at acts now regarded as venial, and crime would be as far from extinction as ever. In the second place, since it depends upon conditions which are essential to life, it must itself be regarded as advantageous. In the third place, this occasional clash of the individual with the collective sentiment of the community is an essential condition of progress. The abolition of crime would be the abolition of progress. "Thus we see the fundamental facts of criminology in a quite new aspect. Contrary to current notions, the criminal no longer appears a radically unsocial being, a parasitic element as it were, a foreign and unassimilable body introduced into the midst of society; he is a legitimate instrument of social life. Crime should no longer be conceived as an evil that cannot be contained within too narrow bounds; but, so far from congratulating ourselves when it chances to fall too noticeably below its usual level, we should feel confident that our apparent progress is accompanied by, and is even organically continuous with, some social disturbance." . . . "Since crime is not morbid, its cure cannot be the end of punishment, and that end must be sought elsewhere." To these startling deductions Prof. Durkheim adds some even more startling reflections upon the practical advantages of this truly and only scientific method of investigation. No longer need human effort be wasted in the pursuit of fantastic and indefinable ideals. The desired and desirable end, that is, social health, is something definite and known; we need only labor to maintain the normal state of affairs, to reestablish it if it is disturbed, to reconstruct its conditions if they tend to change.

To this argument M. Tarde replies by reaffirming the prevalent view that crime is hurtful to society, and therefore a menace to progress, contests Prof. Durkheim's attempt to exclude from the definition of the normal the teleological element and concludes, most unhappily, as I think, with a protest against the admission of "science," reason's offspring, as the supreme guide of life to the exclusion of "the heart, the soul, the imagination." To which Prof. Durkheim calmly replies by admitting all his opponent can say as to the evil effect of crime; his sole point is that crime is an inevitable outcome of the laws of life, must therefore be regarded as normal, and is both indirectly and directly advantageous, in spite of its disadvantages.

Although surrendering no one of his original arguments, the tone of this reply is very different from that of his first statement. The enthusiasm of the iconoclast has given way to the determination of one convinced of his point, although apparently anxious to overlook its practical consequences.

The fallacies in Prof. Durkheim's argument are evident enough, although M. Tarde fails to see them. They lie in the ambiguity of the words *normal* and *crime*. "Normal" properly means "conformable to type," or "conformable to the standard." The type is primarily determined by the average of instances, and has no direct reference to the end subserved. We may thus regard a given scrap of stone, a case of typhoid fever as normal, *i. e.*, as types of their kind, without any covert teleological reference. But, when, in any given class, conduciveness to a given end is a relatively constant feature, it necessarily becomes embedded in the type-concept and the latter becomes teleological. It would thus be impossible to define a normal knife without explicitly or implicitly including fitness for cutting as one of its elements. When the end subserved is generally advantageous, a tendency manifests itself to enforce upon individuals conformity to the type and the latter thus assumes to the consciousness of the community the form of a standard to which one *ought* to conform. Again, since in the realm of nature constant features are usually due to the operation of fixed laws, the normal in the first sense is frequently necessary. But the normal is not always necessary, as it is not necessary that a human adult be above three feet in height, although the normal adult is. The word "abnormal" is not the simple negative of "normal," but is properly the negative of its second sense only. "Morbid" and "pathological" are used in yet narrower sense. When we endeavor to discover the concept "normal" in the phenomena of life, we meet with a new difficulty. The phenomena of life are always manifested

by individuals, but their function is two-fold. At first glance it appears to be the preservation of the individual, but a closer examination shows that they can subserve that end only in so far as it conduces to the preservation of the race. Thus phenomena may be found which conduce to the preservation of the race, or which are absolutely in harmony with it, while endangering that of the individual. The words "morbid" and "pathological" primarily denote that which tends to the destruction of the individual; secondarily, they are used of that which tends to the destruction of the race. They are not antithetical to "normal" in its first sense of "typical," but in its second sense only. Their proper antithesis is "healthful."

A similar ambiguity lurks in the word *crime*. Prof. Durkheim would define it as an act which is repressed by the sense of the community. This is not its common meaning. As ordinarily used, it denotes an act which is not *condemned*, but *condemnable*; the latter word involves reference to a standard, and that standard may be defined in various ways. The standard which is more or less explicitly recognized by most of us who are accustomed to the biological way of thinking, is "conduciveness to preservation," and this is implicitly acknowledged by Prof. Durkheim himself.

If we follow his reasonings with these distinctions in mind, the paradoxical character of the conclusions vanishes. Let us quote his words and bring to view in italics the ambiguity of the thought:

"To class crime among the phenomena of normal sociology, as *we are justified in doing because it is found in every society* (1st sense of "normal"), is equivalent, *since that which is normal is also conducive to preservation* (2d sense of "normal"), to affirming that it is a factor of public health, an integral part of every sound society." P. 591.

Evidently this depends upon a confusion between the first and second uses of "normal."

The second argument would prove that crime is necessary and therefore useful. The paradox depends upon the double sense of "crime." If we remember that Prof. Durkheim means no more than individual transgression of the majority's will, the paradox vanishes. We may also admit that such transgression is occasionally useful. The question as to its necessity is more difficult. Prof. Durkheim conceives of progress as the resultant of two opposing factors, the tendency to innovation on the part of individuals, and the tendency of society to suppress innovations, hence those innovations only survive which are found to be advantageous. He tacitly assumes that the innovations of individuals must be as much disadvantageous as advantageous, and infers that any

increase in the intensity of the repressive factor must tend to the suppression of all forms of innovations alike, and hence must extinguish progress. For this conclusion I can see no warrant. The tendency of individuals to disadvantageous variation is not, in fact, proportioned to the tendency to advantageous, and as the latter gains ground upon the former, the necessity for stringent suppression on the part of the community diminishes. In ethical terms, with the moralization of the individual, laws and penalties become superfluous. With the increase in average intelligence also goes an increase in the intelligence with which the repressive instinct is exercised and a greater freedom in choice is allowed the individual than was found in earlier stages of development.

Thus Prof. Durkheim's startling paradox dissolves upon examination. Crime, in the narrower sense of the word, *i. e.*, conduct disadvantageous to the community, is not shown to be essential to the existence of variations in conduct which may prove advantageous to the community, since we have reason to believe that continuous decrease in the former is entirely compatible with continuous increase of the latter.

The Habits of Nestor.—Mr. Taylor White gives, in the last number of the *Zoologist*, an interesting account of the Kea or *Nestor notabilis*, the parroquet of New Zealand, which is so often cited as an example of a grammivorous bird becoming, on occasion, carnivorous, and which is reputed to attack sheep and devour the delicate fat which envelops the kidneys. Mr. White lives in New Zealand, and can observe the bird close at hand.

According to him, the Kea subsists principally on lichens and not on fruits or grain, for it is found at some distance from the forest, among rocks and on bare ground. Like other animals unaccustomed to man, the Kea exhibits no fear at first sight. It allows itself to be approached, and Mr. White speaks of some of the birds playing about him, even becoming familiar enough to peck the buttons on his boots. Others would perch on his hand and allow themselves to be caressed. In captivity, they eat both bread and meat. Their powerful beaks enable them to break the bars of strong wooden cages.

As to the carnivorous habits of these birds, Mr. White speaks as follows: About the year 1861, sheep were introduced, and after some years it was noticed that a certain number of them died, and on the backs of these, behind the shoulder, in the neighborhood of the kidneys, was found a peculiar wound. About this time it was discovered that the Kea was the enemy of the sheep. In selecting a victim the

Kea prefers an animal with long fleece to which it can cling. It would seem, moreover, that the bird is after the fat rather than the flesh. A Kea has never been seen on a dead body, and the probabilities are that it also feeds on the blood. The various stories told of the Kea are then true in part—it does attack sheep. But it is naturally carnivorous, for, in addition to fruits and grains, it feeds on insects. It has, then, not changed its régime in adding mutton to its *ménu*; it has simply extended its depredations. *Revue Scientif.*, Aug., 1895, p. 248.)

ANTHROPOLOGY.¹

A preliminary examination of aboriginal remains near Pine Island, Marco, West Florida.—The significance of Colonel Durnford's able and interesting communication to the *AMERICAN NATURALIST* for November, 1895, descriptive of his discoveries in South West Florida last Spring, may gain force, it is thought by the courteous Editor of this Department, if I add a few comments in regard to my own later observations in the same field, and in regard to the relation this find seems to bear to Eastern American Archeology in general.

It was my good fortune to be under the care of Doctor William Pepper and at the Hospital of the University of Pennsylvania when Colonel Durnford called at the Museum of the University and exhibited a few of his valuable specimens to its Director, Mr. Stewart Culin. It was also my good fortune both to meet Colonel Durnford and see his specimens at the time, and to receive from him then a full account of, and later, a series of detailed notes upon, his exploration.

From these communications and from examination of the articles he brought, I inferred that probably Colonel Durnford had investigated not an isolated place of the sort he so well describes, but a typical deposit such as might, by further search, be discovered in connection with other shell settlements in the same region. I therefore did not hesitate to pronounce this find of his one of the most important yet made on our southern coasts, and with a view to ascertaining more relative to its nature and to learning whether my inference in regard to its typical character was tenable or not, I gladly seized the opportunity afforded by the suggestion of Doctor Pepper, (whose views coincided with mine) that I extend a health-trip in the South, to the scenes of Colonel Durn-

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